

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

21 MAR 31 PM 12:41

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY  DEPUTY CLERK

JOHNNY SATURN,  
PLAINTIFF,

V.

AUSTIN BERGSTROM  
INTERNATIONAL AIRPORT, ET AL.,  
DEFENDANTS.

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CAUSE NO. 1:20-CV-1176-LY

**ORDER**

Before the court in the above-styled and numbered cause of action is *pro se* Plaintiff Johnny Saturn's Amended Complaint filed January 26, 2021 (Doc. #3), Defendant Target Corporation's Rule 12(b)(6) Motion to Dismiss filed January 26, 2021 (Doc. #5), Defendant Intel Corporation's Motion to Dismiss Pursuant to Rule 12(b)(6) filed February 19, 2021 (Doc. #9), Defendant H-E-B, LP's Rule 12(b)(6) Motion to Dismiss filed February 19, 2021 (Doc. #10), and Defendant BAE Systems, Inc.'s Motion to Dismiss First Amended Complaint Under Rule 12(b)(6) filed February 24, 2021 (Doc. #13).

The case was referred to a United States Magistrate Judge for report and recommendation. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72; Loc. R. W.D. Tex. App'x C, R. 1(d). The magistrate judge signed a report and recommendation on February 25, 2021 (Doc. #14), recommending that this court dismiss Saturn's case without prejudice pursuant to Rule 41(b) and dismiss the various motions to dismiss (Docs. #5, 9, 10, and 13) as moot.

A party may serve and file specific written objections to the proposed findings and recommendations of a magistrate judge within 14 days after being served with a copy of the report and recommendation and thereby secure *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the

proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *See Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (en banc).

The record shows that all parties had notice of the report and recommendations by March 15, 2021, and that objections were due on or before March 29, 2021. To date, despite several other filings (Docs. #16-26) from Saturn, no objections have been filed. The court, having reviewed the entire record and finding no plain error, accepts and adopts the report and recommendation filed in this cause for substantially the reasons stated therein. Accordingly,

**IT IS ORDERED** that the report and recommendation of the United States Magistrate Judge (Doc. #14) is **ACCEPTED AND ADOPTED** by the court.

**IT IS FURTHER ORDERED** that Saturn's amended complaint (Doc. #3) is **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the various motions to dismiss (Docs. #5, 9, 10, and 13) are **DISMISSED**.

A final judgment shall be rendered subsequently.

SIGNED this 31st day of March, 2021.

  
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LEE YEAKEL  
UNITED STATES DISTRICT JUDGE